IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 2515 of 2007

MUNICIPAL COUNCIL,SGNR.
V/S
HARICHAND CHAWLA & ANR.

Mr. YASHWANT MEHTA, for the appellant / petitioner

Date of Order : 14.5.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

By the impugned order, the learned lower Appellate Court has clearly permitted the petitioner to remove the encroachment with the only rider that it removes similar encroachments of the neighbours also. Of course it has been observed that so that the political interference may be avoided. This part of the observation need not have been made by the learned lower Appellate Court, and it could have confined the order by simply permitting the petitioner to remove encroachment with the condition to remove other encroachments of neighbours also. In that view of the matter, I do not find any ground to interfere with the direction given by the learned lower Appellate Court permitting the petitioner to remove the encroachment committed by the plaintiff on the condition that the petitioner removes the other encroachments of the neighbours as well.

The writ petition is, therefore, dismissed summarily.

(N P GUPTA),J.

/tarun/